

of people the opportunity to get a quality education. We can accomplish both of these goals and provide college athletics with the certainty that it needs.

In February, I introduced the Amateur Athletes Protection and Compensation Act—my proposal to accomplish this necessary balance. My legislation would create a single set of guidelines that would enable amateur athletes to profit from their name, image, and likeness by prohibiting conferences, schools, and athletic associations, like the NCAA, from rendering an amateur intercollegiate athlete ineligible on the basis of receiving that NIL compensation. It would also codify serious athlete protections like extended healthcare coverage for athletic injuries or illness and scholarship guarantees.

I understand this legislation is not perfect in everyone's eyes. It is not perfect in its current form, but it offers not only the quickest but the best path towards enacting meaningful Federal legislation on issues of amateur athletic name, image, and likeness.

When I say it may not be perfect, there are certainly things that we can negotiate to improve, and it is not the extreme on either side of this issue, but it is something that a broad set of Senators, Members of the House, and a President could come behind and certainly is perhaps the only piece of legislation that has a chance of being enacted anytime soon. I recognize there are many ideas on what should and should not be included in an NIL bill, and I welcome those conversations with my colleagues.

I strongly encourage the U.S. Senate, the Commerce Committee, and my colleagues on that committee to act quickly on this urgent matter and join us in this legislation to make progress on this important issue. The time is short, but if we work together, we can accomplish a goal that is needed in this country and accomplish it by the time that it is needed to occur.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### WATERS OF THE UNITED STATES

Mr. GRASSLEY. Madam President, for the past 41 years, I have toured our State to hear from Iowa workers, our community leaders, and our farmers at my annual 99 county meetings. So far this year, I have been in 71.

As a farmer myself, I enjoy speaking with those involved in agriculture all across the State who tell me that they are third-, fourth-, fifth-generation farmers. These folks use the same soil and barns as their grandfathers before

them. Everyone I speak with intends to leave their land to their children and leave it better than they found it. That goes way back to it being entrusted to their care. We all have that responsibility.

Between the use of cover crops, buffer strips, no-till farming, and minimal-till farming, more conservation practices than ever before are being used on Iowa's 35 million acres of farmland. While Iowa farmers are continuing to feed our country and the world, they are also doing so with fewer inputs and better soil and water outcomes.

Iowa farmers should be congratulated; however, it seems like there is always a target on the backs of Iowa farmers and I could say for maybe all American farmers. I want to get to that target, and that has something to do with this map that I have here of the State of Iowa.

Last week, it was reported that the Biden administration is moving forward to add redtape to their operations by rewriting President Trump's navigable waters protection rule. In my first telephone conversation with then-EPA nominee Administrator Regan and now the confirmed Administrator—by the way, confirmed by a unanimous vote of this Senate—I warned Administrator Regan against moving back to the Obama-era waters of the U.S. rule, which we call WOTUS for short. That is a regulation they shouldn't move back to because of the burden it placed on rural areas, including Iowa farmers.

In fact, under the old waters rule, 97 percent of Iowa's land would have been subject to jurisdiction under the Clean Water Act. In other words, all of the blue part of Iowa—with the exceptions of these areas that are white that adds up to the blue area—97 percent of this land mass of Iowa would be subject to Federal jurisdiction. Adding more Federal redtape to a farmer's day-to-day decisions on the farm is government overreach, plain and simple.

But besides Iowa's 86,000 farmers, a change in the Trump navigable waters protection rule will also result in significant redtape and significant expense for, among others, homebuilders, golf course managers, and construction companies as they make very routine decisions about how best to use the land and run their businesses.

Now, imagine that, not only have new home prices risen due to inflation and soaring lumber prices—and, by the way, lumber prices have added \$36,000 to the price of a house just in the last year. Now, instead of that happening because lumber prices have gone up, now home prices, because of this proposed change in the regulation, will increase due to additional permitting that wasn't previously needed.

To clear up common confusion, the Trump-era rule that is now the law of the land did not give polluters free rein to discharge pollutions with no regard to the health of our Nation's waterways. Regulating the discharge of pol-

lution into waterways is important and is done through other parts of the Clean Water Act.

The Trump rule made sure that where routine land use decisions were being made with little or no environmental impact, then those decisions would not be regulated by the Federal Government. EPA's release about its intention to overturn the navigable waters protection rule, which is the Trump rule, mentions that 333 projects would have required permits by the Obama waters rule that did not need government paperwork under the navigable waters protection rule of the Trump administration, and, of course, that is exactly the point—exactly the point of what was wrong with the WOTUS rule.

If you are simply moving dirt to level off a low point in a field, should that need a Federal permit? If a golf course is fixing a bunker or flattening a green, should that need a Federal permit? The obvious commonsense answer to both of these questions and a lot of other questions that can be put out there for speculative purposes is, What good does this redtape do for anyone? I want to underline that point.

My Republican colleagues and I want clean water and healthy soil for our families and our communities. This is important. But what I don't want is a Federal Government power grab that adds so much redtape to routine land use decisions that it slows our economy to a halt.

If the Biden administration decides to go down this road of reverting to the old Obama-era WOTUS, they will be seriously misguided. Why should you put the farmers of Iowa, as well as the other people, with many even having to get a permit to do normal farming practices—it just doesn't make sense.

For an administration that is so focused on updating our Nation's infrastructure, why does it make sense to propose a rule that only adds costs and delays construction with no identifiable benefit?

I urge President Biden and EPA Administrator Regan to listen to the farmers and land owners across the country. Wave the WOTUS rule goodbye. Put away the redtape that is going to come around as a result of what you are planning to do.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BORDER SECURITY

Mr. CORNYN. Madam President, last month, more than 180,000 migrants crossed our southern border. That is the highest monthly total since the Clinton administration.

Unaccompanied children continue to arrive at our border by the tens of thousands. In the first 5 months of this year, more than 65,000 migrant children crossed our southern border—nearly double the amount we saw in fiscal year 2020. As bad as things are, things can, and I predict will, get worse.

The administration is weighing whether this is an appropriate time to lift title 42, which is a public health order designed to protect from the spread of the COVID-19 virus, but they have yet to tell us what transition plans they may have, if any, in transitioning from the current exclusion of many adult migrants to welcoming those who are currently excluded or processing them through our immigration courts.

Depending on what the administration decides, the humanitarian crisis at the border will likely swell even larger this summer. Despite the clear need for action from Congress, most of our colleagues on the other side of the aisle have put on blinders. Instead of a bipartisan effort to eliminate or, I should say, alleviate or mitigate the humanitarian and security crisis at our border, we have one side pushing for action and the other side largely staying silent.

The Judiciary Committee of the Senate should be leading the charge to address this crisis in a fair and humane way. Back in April, Senator GRASSLEY, the ranking Republican, and I sent a letter to Chairman DURBIN and Subcommittee Chairman PADILLA requesting a hearing of either the full committee or the Immigration Subcommittee on this current crisis at the border.

Two months and hundreds of thousands of migrants later, they have simply refused to even hold a hearing.

Last month, the Subcommittee on Border Security and Immigration held its first hearing, but the topic wasn't on the border crisis. Instead, the topic was increased numbers of visas for undocumented immigrant workers. That is a topic we can and should discuss but certainly not with the looming crisis on the border.

Tomorrow morning, the Senate Judiciary Committee will continue to ignore this backlog of migrants and this blinking red light that should warn all of us that this crisis will get nothing but worse.

What is the topic of tomorrow's hearing in the Senate Judiciary Committee? We are set to hold a hearing on the unserious, House-passed immigration bill. This legislation stands zero chance of being passed by the Senate—zero. It combines some of the most radical proposals from the far left in one massive bill that fails to address the needs of our country. Rather than discuss the humanitarian crisis at the border, our Democratic colleagues have chosen to hold a hearing on a dead-on-arrival bill, and they know it. It is a remarkable show of priorities.

Tomorrow, I expect we will hear a lot about discussing the Deferred Action

on Childhood Arrival recipients—one of the categories of undocumented immigrants that would receive a path to citizenship under this legislation.

I should say that Texas is home to about 100,000 DACA recipients who are vital parts of our communities. They have grown up with our kids, attended the same churches, shopped in the same grocery stores, and defended our freedoms in the U.S. military. They are also a huge driver of our economy. Ninety-six percent of DACA recipients are either working or in school, and, on the whole, these young people contribute more than \$400 million a year in State and local taxes in Texas alone.

Despite all the ways these young men and women strengthen our country and our communities, they have been living in a constant state of uncertainty about their future. That is because when President Obama announced this program 9 years ago, he did so through a shortsighted Executive memorandum rather than engage Congress. That is right. Rather than rolling up his sleeves and working with Congress to pass long-lasting immigration policy, he chose a path of least resistance that didn't involve any input from Congress but merely created this with a stroke of a pen. To say the least, this made things easier for President Obama in the short run, but it caused a lot of fear—has caused a lot of fear and uncertainty for these young people in the long run, and that continues today. They were set unfairly on a yearslong, tumultuous journey, waiting nervously to see how the courts would weigh in on the various court challenges that we knew were going to occur. President Obama knew it as well. So these young DACA recipients have been left wondering whether they might be deported to a country they have no memory of and being forced to leave behind the families, the jobs, and the opportunities they have worked so hard to build here in the United States.

Many of these young people are in their twenties and thirties now with careers, families, and plans of their own. The possibility of being forced to leave the United States is no less terrifying for them than it would be for anyone who was born here. After years of being yanked around from court ruling to court ruling, these young men and women deserve certainty. They deserve to know whether they can apply to college, grow their families, live their lives, and do all the things other young Americans can do without this dark cloud hanging over their plans. After all, they haven't done anything wrong. They were brought here as children, as minors. And in America, we do not hold children responsible for the mistakes of adults—in other words, their parents.

That is why I believe we should take action that gives these DACA recipients the certainty they deserve, and the only way to do that is through more legislation, not further Executive actions. And I strongly support that

legislative effort. However, massive partisan bills, like the legislation the House passed this year, is not the answer. I support DACA recipients because they were brought here at a young age through no fault of their own, but the American Dream and Promise Act has completely abandoned this justification in favor of rewarding recent illegal entries with green cards, even adults who violated our immigration laws.

If the goal is to provide legal certainty for our DACA recipients as opposed to making a grand political statement, we need to be realistic about how we get there. We need to learn from our mistakes of the past, where we have tried to build big, comprehensive immigration reform bills only to see them collapse of their own weight, which means we need to begin working on smaller packages that can gain broad support and hopefully build trust in the process. I am not suggesting we quit there, but that is the place we need to start if we have learned from the lessons of the last 20 years.

The American people overwhelmingly support allowing DACA recipients to remain in the United States, and I believe it is true of a majority of Members of the Senate. We have to set aside policies we cannot agree on so we can make progress on the ones we do agree on, and we need to keep our efforts focused on DACA recipients. If this is a priority for folks on both sides of the aisle, I hope we will finally be able to get a bill to the President's desk to help these young people.

More broadly, though, there is no denying our immigration system is sorely in need of reform. It is outdated; it is inefficient; and it simply does not meet the needs of our country today. But there is very little room for those types of conversations until we solve the current crisis at the border. Once that is under control and our bipartisan Border Solutions Act, which is the only bicameral, bipartisan bill that has been introduced—once we solve that problem, I hope we will have a bipartisan debate about the changes that should be made to our immigration system, and the DACA recipients are at the top of that list.

As I said, these young men and women deserve certainty, and Congress cannot pass legislation to provide that certainty if our Democratic colleagues and the White House insist on attaching controversial policies or ignoring the current crisis at the border, as the Biden administration is appearing to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### BIDEN ADMINISTRATION

Mr. TUBERVILLE. Madam President, Ronald Reagan said:

We maintain peace through our strength; weakness only invites aggression.